HIGH COURT OF UTARANCHAL AT NAINITAL
A.O. NO. 396 of 2001
(Old No. 272 of 1985)

Rajendra Singh
S/o Surendra Singh
R/o Lakhi Bagh Dehradun
10, Convent Road. .....Appellant

Vs

Surendra Singh
S/o Daulat Singh
R/o 136 Chukhuwala
Dehradun. ....Respondents.

Dated:-24-9-2004

Hon'ble Rajesh Tandon, J.

File has been transferred from Allahabad High Court.

None appears for the parties.

It appears that 2.2.1985, an order was passed rejecting the application. The case has already been restored with the condition to pay a sum of Rs. 30.00 together with previous costs, it appears the cost was not paid and hence the application was rejected.

Liberty is given to the appellant to move an application giving the reasons for non-payment of cost. In case such an application is filed and the cause of action is still survives, the application shall be considered liberally.

Subject to the above observation, the writ petition is dismissed.

Dated:-24-9-2004 **(RAJESH TANDON J.)**

M.K.